

- non-payable deals.

Depending on the moment at which the transaction is considered to be committed (Article 640 of the Civil Code of Ukraine):

- consensus deals – are considered to be committed if the parties in the proper form have reached agreement on all essential terms of the contract;

- real deals – committed from the moment of transfer of the corresponding property or commission of action.

Separation of the deals depending on the term:

Term: postponement (the moment from which the validity takes effect);

cancellation (it is determined by the moment from which the action is lost);

indefinite: (the moment from which the action is not indicated).

Contractual acts (Article 212 of the Civil Code of Ukraine). Persons committing the deals have the right to determine the offensive or change of rights and obligations by a circumstance unknown to it whether it will come or not (postponement).

The persons who carry out the transaction have the right to make the termination of rights and obligations subject to circumstances unknown to them whether it will come or not (a cancellation).

Philadelian deals – the deals based on a particularly trusting relationship between actors who commit them.

HUMANIZATION OF INTERNATIONAL HUMANITARIAN LAW: EVOLUTION UNDER THE INFLUENCE OF INTERNATIONAL HUMAN RIGHTS OR SELF-DEVELOPMENT?

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At different times, different philosophers defined the concept of IHL in different ways. IHL is an embodiment of Benthamite desire of reducing human suffering in war, the latter in a more Kantian notion it is a respect for individuals and their human dignity. The humanitarian impulse to temper war's cruelty is ancient—it can be found in the Seven Military Classics of ancient China as well as in Western texts as far back as Cicero and even the Iliad. But IHL in its contemporary form did not really launch until the mid-nineteenth century with the formation of the International Committee of the Red Cross (ICRC).

“International humanitarian law is a set of rules which seek, for humanitarian reasons, to limit the effects of armed conflict. It protects persons who are not or are no longer participating in the hostilities and restricts the means and methods of warfare. International humanitarian law is also known as the law of war or the law of armed conflict”. This actual definition we can find on the site of ICRC.

We can see, that the main task of this law is protecting of interests of individuals, and IHR doing the same. It happens, because logic of international humanitarian law runs strictly parallel to the logic of human rights law, elevating effectiveness and broad protection over strict interpretation of legal instruments.

But it is likely that human rights thinking influenced both. As human rights law continued to develop, its impact on IHL has been unmistakable. Theodore Meron labels it the “humanization of humanitarian law,” and Gabriella Blum calls it the “individualization of war.” Both authors mean not only the evolution of ever-greater humanitarian protections in IHL, but also a gradual move toward regarding those protections as rights of the protected individuals and not of their states or collectivities. That is a remarkable change, for more than any other human activity, war collectivizes, whereas human rights law individualizes.

The Human Rights orientation of Humanitarian Law is most prominent in the law of belligerent occupation, where hot combat is the exception and the occupying forces must assume at least limited governance functions. In occupations, the issue of whether the law of war or the law of peace should apply is maximally unclear. The ICJ has held that the “protection of the [ICCPR] does not cease in times of war,” which suggests that human rights law always predominates. But the ICJ adds that the law of war, as *lex specialis* (special law), defines the meaning of human rights in wartime. A killing that would be arbitrary in peacetime might not be so on the battlefield. This means that in practice, human rights protections in wartime can be no broader than the protections in IHL (at least on matters that both of them address).

To sum up, IHL develops by absorbing certain provisions of the IHR and adapting them to situations, which it regulate. IHL and IHR was created for different cases but they pursue the same goal - the protection of the human dignity of every person in any situation.

References

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CIVIL CIRCULATION OF CRYPTOCURRENCY

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Cryptocurrency, blockchain, ICO, tokenization, smart contract, these and many other terms are becoming more and more usual for people who follow the current developments in the shere of information and data technologies and that of economy. Despite the fact that these terms are not generally well-known, they